

REMARKS

Claims 20 and 21 are pending in the above application. By the above amendment, claims 20 and 21 have been cancelled and claims 22 and 23 have been added.

The Office Action dated September 16, 2004, has been received and carefully reviewed. Each issue raised in the Office Action is addressed below.

An objection was raised in connection with drawings because the drawings did not show a propagated signal embodied in a carrier as required by claim 21. By the above amendment, claim 21 has been cancelled. It is therefore not believed that any changes to the drawings are required at this time. As the claims no longer recite a propagated signal, the rejection of claim 21 under 35 U.S.C. 112, first paragraph, is also respectfully traversed.

Claim 20 was also rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 20 and 22 of co-pending application 10/729,158. By the above amendment claim 20 has been cancelled. It is also noted that claims 20 and 22 of the cited co-pending application have been cancelled. The subject matter of new claims 22 and 23 in the present application is believed to patentably distinguish over the subject matter of the pending claims in co-pending application no. 10/729,158, and therefore the double patenting rejection is

respectfully traversed.

Claim 20 was also rejected under the judicially created doctrine of double patenting as being unpatentable over claim 9 of U.S. 6,310,981 in view of Yagizawa. By the above amendment, claim 20 has been cancelled. The subject matter of new claims 22 and 23 differs from that of U.S. 6,310,981, and therefore, it is believed that new claims 22 and 23 patentably distinguish over claim 9 of U.S. 6,310,981 in view of Yagizawa.

Claims 20 and 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Yagizawa. By the above amendment, claims 20 and 21 have been cancelled. New claims 22 and 23 are submitted to be allowable over this reference for at least the below reasons.

New claim 22 requires an image data coding apparatus that includes, among other limitations, inverse quantizing means composed of plural inverse quantizing tools and an image data coding apparatus transmitting information that includes information indicating an inverse quantizing tool. A plurality of inverse quantizing tools are illustrated in Figure 26 and described beginning at page 55, line 30 of the substitute specification. Yagizawa does not show or suggest an image data coding apparatus as required by claim 22, and claim 22 is submitted to be allowable for at least this reason.

New claim 23 requires an image data decoding apparatus that includes, among other limitations, inverse quantizing means

comprising plural inverse quantizing tools and wherein the decoding apparatus receives information indicating an inverse quantizing tool. Yagizawa does not show or suggest an image data coding apparatus as required by claim 23, and claim 23 is submitted to be allowable for at least this reason.

Conclusion

Each issue raised in the Office Action dated September 16, 2004, has been addressed, and it is believed that claims 22 and 23 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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